



Order Filed on November 16, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c)	
ROMANO GARUBO & ARGENTIERI Emmanuel J. Argentieri, Esquire 52 Newton Avenue, P.O. Box 456 Woodbury, New Jersey 08096 (856) 384-1515 Attorney for Secured Creditor, United Asset Management, LLC	
ROBERT B. SMITH A/K/A ROBERT BRUCE xxx-xx-3281 Debtor.	

Case No.: 19-30777/ABA


Chapter: 13

Hearing Date: November 9, 2021 at 10:00 a.m.

**ORDER RESOLVING CERTIFICATION OF DEFAULT SUBMITTED UNDER THE
CONSENT OF THE PARTIES**

The relief set forth on the following pages numbered two (2) through three (3) are hereby
ORDERED.

DATED: November 16, 2021



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: ROBERT B. SMITH

Case No: 19-30777/ABA

Caption of Order: **ORDER RESOLVING CERTIFICATION OF DEFAULT**

Upon consideration of (“Movant”) United Asset Management, LLC’s certification of default for an order, pursuant to section 362(d) of the Bankruptcy Code, for relief from the automatic stay as to certain real property as hereinafter set forth; and the Debtor having filed opposition thereto; and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for cause shown, it is hereby;

ORDERED as follows:

1. Debtor’s post-petition mortgage arrearages for the months of June 1, 2021 through November 1, 2021 total \$1,204.21 (6 post-petition mortgage payments at \$215.69 each, less \$89.93 in suspense). Debtor shall cure the arrearages as follows:

a) Debtor shall tender the sum of \$1,000.00 directly to Movant on or before the close of business for November 30, 2021. Payment shall be made in certified funds (certified bank check or money order).

b) Debtor shall tender the balance of the arrearages, \$204.21, directly to Movant on or before the close of business for December 31, 2021. Payment shall be made in certified funds (certified bank check or money order).

c) If Debtor does not remit payments in accordance with Paragraph 1a and Paragraph 1b above, Movant may immediately file a certification of default with the Court to request relief from stay upon notice to Debtor, Debtor’s counsel and the Chapter 13 Trustee.

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Debtor: ROBERT B. SMITH

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2. Commencing with the December 1, 2021 post-petition mortgage installment payment and continuing each month thereafter for the duration of this Chapter 13 proceeding, Debtor shall remit payments directly to Movant as same come due.

3. Debtor shall reimburse Movant through his Chapter 13 Plan of Reorganization as an administrative claim the sum of \$350.00 for attorney's fees and costs incurred by Movant in the prosecution of its relief application.

4. **Thirty-Day Default Clause:** If the Debtor should default and fail to make the payments stated herein or any future payments that come due during the pendency of this case to Movant for more than (30) days from the due date, then upon certification of non-receipt of said payments in accordance herewith submitted by secured creditor's counsel, the Court shall enter an Order, vacating the automatic stay of 11 *U.S.C.* §362(a) with respect to secured creditor's enforcement of its State Law Foreclosure action against the realty commonly known as 1675 Hollywood Avenue, Blackwood, NJ 08012. The order submitted to the Court will not require the consent of the debtor or the debtor's counsel regarding form or substance, however, the trustee, debtor and his counsel shall be given notice of any filing of a certification of non-receipt in accordance with Rule 9072-1 of the Local Rules of Bankruptcy Procedure.

5. Movant shall serve a copy of the executed order on all interested parties who have not yet been served electronically by the court.

In re:
Robert B. Smith
Debtor

Case No. 19-30777-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Nov 16, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 18, 2021:

Recip ID	Recipient Name and Address
db	+ Robert B. Smith, 1675 Hollywood Avenue, Blackwood, NJ 08012-5032

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 18, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 16, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Citibank N.A., as trustee for CMLTI Asset Trust dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor Citibank N.A., as Trustee for CMLTI Asset Trust dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Elizabeth L. Wassall	on behalf of Creditor WELLS FARGO BANK N.A. ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com
Elizabeth L. Wassall	on behalf of Creditor Wilmington Savings Fund Society FSB, as Trustee of Stanwich Mortgage Loan Trust I ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com
Emmanuel J. Argentieri	on behalf of Creditor United Asset Management LLC bk@rgalegal.com
Eric Clayman	

District/off: 0312-1

User: admin

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on behalf of Debtor Robert B. Smith mail@jenkinsclayman.com JenkinsClayman@jubileebk.net

Harold N. Kaplan

on behalf of Creditor Citibank N.A., as trustee for CMLTI Asset Trust hkaplan@rasnj.com, informationathnk@aol.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Rhondi L. Schwartz

on behalf of Debtor Robert B. Smith mail@jenkinsclayman.com

Stephanie F. Ritigstein

on behalf of Debtor Robert B. Smith mail@jenkinsclayman.com kevin@jenkinsclayman.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12